



Laura Fix, Chairperson
Ruthanne Hansen, Member
Chris Gallus, Member

Board Meeting Agenda, Wednesday May 18, 2022

Important Note: Due to the safety measures adopted by the Department of Labor & Industry in response to the COVID-19 pandemic, these reviews will be held remotely/via teleconference only.

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8:15 A.M. - Rules Discussion - Public Participation Rules

Call to order-

Staff attorney's comments-

Public comments-

Approval of Minutes-

SCHEDULED REVIEWS

Between 8:30 A.M. to 9:00 A.M.

Case # 2270-2021

ISSUE 1: Whether the appeal was timely filed or whether the appellant has good cause to delay filing the appeal as provided in *Montana Code Annotated* § 39-51-2402(3). (73 days late to OAH).

ISSUE 2: Whether the claimant is qualified to receive Pandemic Unemployment Assistance (PUA) benefits under Section 2102 of the CARES Act of 2020, Public Law 116-136.

Between 9:00 A.M. to 10:00 A.M.

Case # 1409-2022

ISSUE: Whether the claimant is disqualified to receive benefits due to a failure to apply for or accept suitable work without good cause, as provided in *Montana Code Annotated* § 39-51-2304.

Case # 1432-2022

ISSUE 1: Whether good cause exists for the UIAB to accept new evidence, under Administrative Rules Montana 24.7.312(2).

ISSUE 2: Whether the claimant was overpaid benefits, and in what amount, pursuant to *Montana Code Annotated* § 39-51-3206 and Administrative Rules Montana 24.11.1205.

ISSUE 3: Whether the claimant knowingly made a false statement or knowingly failed to disclose material facts in order to obtain or increase benefits and is therefore subject to a penalty under *Montana Code Annotated* § 39-51-3201.

Case # 1438-2022

ISSUE: Whether pandemic emergency unemployment compensation (PEUC) benefits are payable to the claimant pursuant to the CARES Act PEUC provision, Pub. L. No. 116-136 § 2107(a)(2).

Between 10:00 A.M. to 11:00 A.M.

Case # 1500-2022

ISSUE: Whether the claimant is ineligible for benefits for failing to attend a mandatory re-employment and eligibility assessment as provided in *Montana Code Annotated* § 39-51-2104(1), Administrative Rules Montana 24.11.471.

Case # 1492-2022

ISSUE: Whether the request for redetermination was timely filed or whether the appellant had good cause to delay filing the appeal as provided in *Montana Code Annotated* § 39-51-2402 (3). (7 days late).

Case # 1454-2022

ISSUE 1: Whether the appeal was timely filed or whether the appellant has good cause to delay filing the appeal as provided in *Montana Code Annotated* § 39-51-2402(3). (32 days late to OAH).

ISSUE 2: Whether the claimant knowingly made a false statement or knowingly failed to disclose material facts in order to obtain or increase benefits and is therefore subject to a penalty under *Montana Code Annotated* § 39-51-3201.

Between 11:00 A.M. to 12:00 P.M.

Case # 1434-2022

ISSUE: Whether the claimant is qualified to receive benefits based upon the separation from employment as provided in *Montana Code Annotated* § 39-51-2302 (leaving work without good cause) or § 39-51-2303 (discharge for misconduct).

Case # 1489-2022

ISSUE: Whether the claimant is qualified to receive benefits based upon the separation from employment as provided in *Montana Code Annotated* § 39-51-2302 (leaving work without good cause) or § 39-51-2303 (discharge for misconduct).

Case # 2048-2021

ISSUE 1: Whether the appeal was timely filed or whether the appellant has good cause for untimely filing the appeal as provided in *Montana Code Annotated* § 39-51-2403. (247 days late to UIAB).

ISSUE 2: Whether the claimant is qualified to receive benefits based upon the separation from employment as provided in *Montana Code Annotated* § 39-51-2302 (leaving work without good cause) or § 39-51-2303 (discharge for misconduct).

Between 1:00 P.M. to 2:00 P.M.

Case # 1477-2022

ISSUE 1: Whether good cause exists for the UIAB to accept new evidence, under Administrative Rules Montana 24.7.312(2).

ISSUE 2: Whether the claimant is qualified to receive benefits based upon the separation from employment as provided in *Montana Code Annotated* § 39-51-2302 (leaving work without good cause) or § 39-51-2303 (discharge for misconduct).